

The Zoning Ordinance for the Town of Fountain Hills

Chapter 16

LODGING ZONING DISTRICTS

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Section 16.01 Purpose.

- A. L-1. L-1 Zoning District.** The principal purpose of this zoning district is to provide for well designed and attractive very low density lodging facilities on sites designated as "Lodging" on the Future Land Use Plan Map of *The Town of Fountain Hills General Plan*. This zoning district would allow for very low intensity resort and other associated lodging uses in areas that are surrounded by open space or very-low density single-family residential uses. The principal use in this zoning district is lodging facilities of up to five rooms per acre.
- B. L-2. L-2 Zoning District.** The principal purpose of this zoning district is to provide for well designed and attractive low density lodging facilities on sites designated as "Lodging" on the Future Land Use Plan Map of *The Town of Fountain Hills General Plan*. This zoning district would allow for low intensity resort and other associated lodging uses in areas that are surrounded by low density single-family residential uses. The principal use in this zoning district is lodging facilities of up to ten rooms per acre.
- C. L-3. L-3 Zoning District.** The principal purpose of this zoning district is to provide for well designed and attractive medium density lodging facilities on sites designated as "Lodging" on the Future Land Use Plan Map of *The Town of Fountain Hills General Plan*. This zoning district would allow for medium intensity resort and other associated lodging uses in areas that are surrounded by medium density single-family residential uses. The principal use in this zoning district is lodging facilities of up to fifteen rooms per acre.

Section 16.02 Permitted Uses.

- A. Uses Permitted in the L-1, L-2 and L-3 Zoning Districts.**
1. Hotels.
 2. Motels.
 3. Public and Quasi-Public Uses
 - a. Churches
 - b. Libraries, museums, parks, playgrounds, and community buildings.
 - c. Public Schools
 - d. Publicly or privately owned or operated fire stations, and publicly owned or operated police stations and post offices
 - e. Utility Services, but not including public utility treatment and generating plants or office.

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Section 16.03 Uses Subject to Special Use Permits in L-1, L-2 and L-3 Zoning Districts.

- A.** Restaurants and cafes, including the utilization of an enclosed patio with or without alcoholic beverage sales, provided that there is no entertainment or music audible off-site, providing the following criteria are met:
1. Restaurants and cafes can only exist as an accessory use to a hotel or motel. A Special Use Permit for a restaurant/cafe will become void if the hotel/motel to which it is an accessory use ceases operations.
 2. The restaurant/cafe must be located on the same lot or parcel of land as the hotel/motel to which it is an accessory use.
 3. Only Series 11 (Hotel/Motel with Restaurant License), Series 12 (Restaurant, All Liquor) and a Series 14 (Private Club License) liquor licenses shall be eligible for approval in the L-1, L-2 and L-3 Zoning Districts.
 4. The signage regulations of Section 6.07 (E) of this ordinance shall be met.
- B.** Gift shops and retail clothing stores having less than 250 square feet in area providing the following criteria are met:
1. Gift shops and clothing stores can only exist as an accessory use to a hotel or motel, and must be located within the principal building of the hotel/motel. A Special Use Permit for a gift shop/clothing store will become void if the hotel/motel to which it is an accessory use ceases operations.
 2. The signage regulations of Section 6.07 (E) of this ordinance shall be met.

Section 16.04 Additional Regulations.

A. All Lodging Zoning Districts.

1. Site Enclosure and Screening Requirements: Unless fully or partially waived by the Community Development Director, lodging sites and/or uses shall be enclosed to provide effective site screening from adjoining properties, uses or streets as follows:
 - a. A solid wall, not less than six (6) feet in height shall be required along and adjacent to any side or rear property line abutting any residential zone boundary, or any alley abutting such zone boundary at the time of development of the lodging property. Further, any access gates in said solid wall shall be constructed of view-obscuring material to provide effective site screening.

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- b. The perimeter of any portion of a site not adjacent to a residential zone boundary upon which any outdoor use of an accessory commercial nature is permitted shall be enclosed to a height of not less than eight (8) feet by building walls, a solid masonry, concrete or earthen product wall. No outdoor accessory commercial use or enclosure thereof shall encroach into any required setback area adjacent to any street, nor shall any storage products or materials exceed the height of any such enclosure.
- 2. Any outdoor lighting shall be in conformance with provisions in Chapter 8 hereof. Any outdoor lighting shall be placed so as to reflect light away from any adjoining residential Zoning District.
- 3. If the lodging use or any accessory commercial uses expand, it shall, in addition to the parking spaces in existence prior to such expansion, be required to provide only the number of additional parking spaces necessitated by the expansion.

B. Performance Requirements for the Lodging Zoning Districts.

- 1. All building permits for new construction shall include completion of all right-of-way improvements required for that type of development by the subdivision ordinance.
- 2. Site plans shall be designed in such manner that they minimize the traffic impact on local residential streets.
- 3. Buildings and their appurtenances shall be oriented to limit conflicts with surrounding residential uses due to noise, light, litter, or dust.
- 4. There shall be no outdoor music or speakers.
- 5. When a lodging property abuts a residential district, the following standards shall be required:
 - a. A twenty (20) foot landscaped buffer shall be provided for the full distance where the two properties abut.
 - b. Lighting of the site shall not exceed fifteen (15) feet in height and shall be fully screened and directed away from residences or residentially zoned land in the vicinity of the site.
 - c. Mechanical equipment must be located or screened to limit sound transfer to nearby residentially zoned property. All mechanical equipment must be screened from public view and view of adjoining properties.
 - d. Noise producing mechanical equipment must be located at least twenty (20) feet from any common property line with residentially zoned property.
 - e. Openings in buildings and activity centers on sites shall be located to minimize interference with residential uses.

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- f. Drainage from buildings and parking lot areas shall be detained on-site and shall be directed only into a drainage system approved by the Town Engineer.
- g. Loading and delivery entrances shall be located away from the interface with residential uses or shall be screened to prevent the intrusion of the lodging or accessory activities into the adjacent residential neighborhood.
- h. All activity (except required on-site parking, loading and unloading areas, and incidental or accessory storage and display areas) shall be within a completely enclosed building, unless otherwise specifically noted herein.
- i. All trash enclosures and outside storage of any kind shall be located at least 80 feet from any residential zoning district and shall be screened by a six-foot high concrete block or masonry wall.

Section 16.05 General Provisions.

The General Provisions in Chapter 5 shall apply, except where noted in Section 16.06.

Section 16.06 Hillside Disturbance.

Any land located within the L-1, L-2 and L-3 Zoning Districts shall be developed according to the Hillside Disturbance regulations in Section 504 of *The Town of Fountain Hills Subdivision Ordinance*. Any regulations contained within Chapter 5 of this Ordinance that conflict with Section 504 of *The Town of Fountain Hills Subdivision Ordinance* shall not apply.

Section 16.07 Signs.

The regulations in Chapter 6 shall apply.

Section 16.08 Parking and Loading.

The parking and loading regulations in Chapter 7 shall apply.

Section 16.09 Outdoor Lighting.

The provisions of Chapter 8 shall apply.

Section 16.10 Plan Review.

The provisions of Chapter 2, Section 2.04 shall apply.

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Section 16.11 Density, Area, Building and Yard Regulations:

The chart which follows specifies the minimum lot sizes, minimum lot area per room, minimum lot widths, maximum building heights, minimum yard setbacks and maximum lot coverage percentages, and the minimum distance between buildings.

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FOUNTAIN HILLS ZONING ORDINANCE SUMMARY

LODGING DISTRICTS

DISTRICT	AREA (SQ.FEET)	LOT AREA/ ROOM (SQ. FEET)	WIDTH (FEET)	BLDG HEIGHT (FEET)					LOT COVERAGE	DISTANCE BETWEEN BLDGS (FEET)
					MINIMUM YARD SETBACKS					
					FRONT	SIDE	STREET SIDE	REAR		
L-1	43,560	8,712	145	22	40	30	40	60	15%	10
L-2	43,560	4,356	145	30	40	30	40	60	20%	10
L-3	43,560	2,904	145	30	40	30	40	60	25%	10